



PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/666,838

Filing Date

September 17, 2003

First Named Inventor

Beal, Stephen C.

Art Unit

3763

Examiner Name

Attorney Docket Number

022010-000210US

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/ Incomplete Application



Reply to Missing Parts under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a Provisional Application



Power of Attorney, Revocation Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board of Appeals and Interferences



Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify below):

5 counterpart Declarations and Powers of Attorney, ADS, Petersen Declaration w/Exhibit, Sebastian Declaration w/Exhibits, 16 sheets replacement drawings, copy of Notice to File Missing Parts, Return Postcard

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Steven C. Petersen

Date

June 24, 2005

Reg. No.

36,238

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature

Typed or printed name

Timothy S. Parker

Date

June 24, 2005



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$), 1,140

Complete if Known

Application Number 10/666,838
Filing Date September 17, 2003
First Named Inventor Beal, Stephen C.
Examiner Name
Art Unit 3763
Attorney Docket No. 022010-000210US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 20-1430 Deposit Account Name: Townsend and Townsend and Crew LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	Small Entity	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	
Utility	300	150	500	250	200	100	500
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
35	-20 or HP = 15	x \$25	= \$375			
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
1	-3 or HP = 0	x \$100	= \$0			

HP = highest number of total claims paid for, if greater than 20
HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

4. OTHER FEE(S)

	Fees Paid (\$)
Missing Parts Surcharge, \$65 fee	65
Other: Petition Under 37 CFR 1.47(a)	200

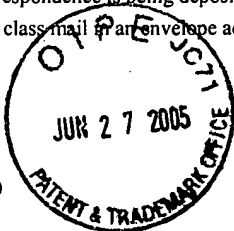
SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	Telephone 858-350-6100
Name (Print/Type)	Steven C. Petersen	36,238	Date June 24, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT
Attorney Docket No.: 022010-000210US

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



On June 24, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Timothy J. Parker

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Stephan C. Beal, et al.

Application No.: 10/666,838

Filed: September 17, 2003

For: BREAST MILK EXPRESSION
SYSTEM INCLUDING MASSAGING,
EXPRESSING AND CONTAINMENT
FEATURES

Examiner:

Art Unit: 3763

TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS

Attn: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application, dated November 26, 2004, enclosed are the following to be made of record in the above-identified application:

- 1) Form PTO/SB/17 - Fee Transmittal
- 2) Petition to Extend Time

- 3) Five (5) counterpart executed Declarations and Powers of Attorney
- 4) Application Data Sheet
- 5) 16 sheets replacement drawings
- 6) Petition Under 37 CFR 1.47(a)
- 7) Declaration of Steven C. Petersen in Support of Petition Under 37 CFR 1.47(a)
- 8) Declaration of Leslie J. Sebastian in Support of Petition Under 37 CFR 1.47(a)
- 9) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

Small Entity:	(a)	Filing Fee (§ 1.16(a)) (Small Entity)	\$150
	(b)	Search Fee:	\$250
	(c)	Examination Fee:	\$100
	(d)	Excess Claims Fees (§ 1.16(b), (c)):	
		35 - 20 = 15 x \$25 =	\$375
		1 - 3 = 0 x \$100 =	\$0
	(c)	Multiple Dependent Claims	
	(c)	Petition under 37 CFR 1.47(a) fee	\$200
	(d)	Missing Parts Surcharge	\$65
		TOTAL FEES TO BE CHARGED	\$1,140

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in duplicate.

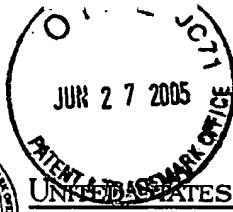
Respectfully submitted,



Steven C. Petersen
Reg. No. 36,238

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 858-350-6100
Fax: 415 576-0300
SCP:tsp



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/666,838	09/17/2003	Stephen C. Beal	022010-000210US

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 5785

FORMALITIES LETTER



OC000000014447829

Date Mailed: 11/26/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/28/2005 HLE333 00000084 201430 10666838

01 FC:2011 150.00 DA
02 FC:2111 250.00 DA
03 FC:2311 100.00 DA
04 FC:2202 375.00 DA
05 FC:2051 65.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 790 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 14.
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 14 & 15.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$252** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

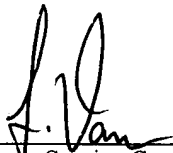
SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1172** for a Large Entity

- **\$790** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$252**
 - **\$252** for **14** total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE